



September 7 , 2012

File: S110-01-10

Chuck Hubert
Senior Environmental Assessment Officer
Mackenzie Valley Environmental Impact Review Board
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Dear Mr. Hubert:

Government of the Northwest Territories – Round 2
Information Request Responses - Gahcho Kué Project Environmental Impact Review

De Beers is pleased to provide the Mackenzie Valley Environmental Impact Review Board with responses to Round 2 Information Requests submitted by the Government of the Northwest Territories.

Sincerely,

Veronica Chisholm
Permitting Manager

Attachment

c: L. Ransom, Environmental Assessment Analyst, Government of the NWT



GAHCHO KUÉ PROJECT ENVIRONMENTAL IMPACT STATEMENT
ROUND 2 INFORMATION REQUEST RESPONSES

Round 2 Information Request Number: GNWT 2-1

Source: Government of the Northwest Territories

Subject: Environmental Monitoring and Management Framework (EMMF) &
Conservation Education

Preamble

As a result of increased pressures on the northern environment (human & biophysical) on barren-ground caribou, Environment and Natural Resources (ENR) has committed to numerous co-management opportunities. This includes an ENR/TG (Tlicho Government) Joint Proposal that was submitted to the Wek'èezhii Renewable Resources Board (WRRB) in May 2010 and development of an Interim Agreement with the Yellowknives Dene First Nations (YKDFN) in October 2010. A large component within these partnerships has been relationship building, conservation education and community based monitoring.

Several other recent actions show support for or identify a need for more comprehensive and adaptive methods of environmental management in the north.

1. ENR has developed a Barren-ground Caribou Management Strategy for the Northwest Territories 2011-2015 "Caribou Forever – Our Heritage, Our Responsibility". After a public review, priority actions were identified under the strategy:
 - Complete management plans and inter-jurisdictional agreements.
 - Increase capacity for involvement by Aboriginal governments.
 - Monitor effects of predators and harvest.
 - Monitor cumulative effects and develop industry best practices.
 - Manage habitat in relation to forest fires and land use activities.
 - Promote traditional practices and hunter education.
2. The MVEIRB issued Terms of Reference for the Gahcho Kue project stating:

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- “For situations where the proposed development is predicted to be only one of many sources of impacts, direct or indirect, that combine in a cumulative manner, the EIS should outline what contributions this development can make to addressing a cumulative problem. For potential impacts on caribou the geographical scope includes the potentially affected portion of the range of any herd that may be affected, including but not restricted to, the vicinity of the mine site, the access road from Mackay Lake, and the Tibbitt to Contwoyto Road up to the start of the access road at Mackay Lake. Research and monitoring activities must be included for the Tibbitt to Contwoyto winter road corridor.”

3. De Beers provided a response to GNWT IR#1

- “De Beers is developing a Wildlife Effects Monitoring Plan that is a component of the broader Gahcho Kue Project Monitoring and Adaptive Management Framework. The Framework provides the proposed structure of site-specific monitoring and mitigation plans, and the approach to broader regional monitoring for caribou, wolverine, wolves, grizzly bears, raptors and species at risk. De Beers expects that engagement and feedback from government and communities will be an important element of completing the Framework, and the associated Wildlife Effects Monitoring Plan.”

ENR understands that the draft Environmental Monitoring and Management Framework (EMMF) objectives include “describing monitoring components, the interaction among components, and the process that links these to adaptive management” and the Wildlife Monitoring Plan (WMP) represents one of those monitoring components within the EMMF. During the May technical session, De Beers made a commitment to use a collaborative approach with both communities and regulatory agencies with regards to developing a WMP.

Request

Conservation and public education is essential to the full success of adaptive management and monitoring programs; therefore, how will the Gahcho Kué Project incorporate conservation and public education into the EMMF and/or monitoring plans? Please be specific.

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Response

In the Northwest Territories (NWT), the Mackenzie Valley Environmental Impact Review Board (MVEIRB) Environmental Impact Assessment (EIA) process contributes to good decision-making concerning the conservation, development and use of land and water resources for the optimum benefit of the residents of the Mackenzie Valley and Canada¹. Following the MVEIRB EIA process, the Mackenzie Valley Land and Water Board (MVLWB) further regulates the use of land and water as well as the deposit of waste for the conservation, development and utilization, also for the optimum benefit to the residents in the Mackenzie Valley². With respect to wildlife specifically, conservation is defined in the NWT *Species at Risk Act*³ to mean the management and protection of species and habitat, and their use in a manner that promotes their continued survival and maintains ecosystem integrity. Under the NWT *Wildlife Act*, the Government of the NWT (GNWT) maintains the responsibility⁴ for wildlife management⁵.

While the responsibility for conservation, through wildlife and habitat management actions, rests with the GNWT, De Beers has incorporated and supports conservation in the following ways into the Project environmental impact statement (EIS):

- Design and implement mitigation measures to reduce the area of land disturbed as a result of Project development.
- To support good decision making, De Beers has carried out a comprehensive assessment of cumulative effects in the NWT, which for caribou, included an analysis of both natural and human effect pathways in accordance with the EIS terms of reference.
- Developed robust assessment tools for the Project that can inform the monitoring and management of cumulative effects by the GNWT and Aboriginal Affairs and Northern Development Canada (AANDC).

¹ MVEIRB Environmental Impact Assessment Guidelines March 2004. Pg 1.

² MVEIRB Environmental Impact Assessment Guidelines March 2004. Pg 3.

³ S.N.W.T. 2011,c.16, s. 1.

⁴ R.S.N.W.T. 1988,c.W-4: s. 75(1) The Minister may exercise the powers conferred and shall perform the duties imposed on the Minister by this Act and the regulations and may delegate any of these powers or duties to the Superintendent.

⁵ R.S.N.W.T. 1988,c.W-4: "wildlife management" means the regulation of wildlife populations in their habitats for the purpose of sustaining them for human use or enjoyment in perpetuity.

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- Work collaboratively with Aboriginal Groups and regulators to develop wildlife monitoring plans.
- Work collaboratively with industry to develop comparable monitoring studies for species with large home ranges to provide information for wildlife management.
- Provide the data generated from the Project wildlife monitoring programs to the GNWT and AANDC for cumulative effects monitoring and management.

De Beers also supports regional monitoring programs for wildlife to support the GNWT in the development species management plans.

De Beers agrees that public education is a key aspect of environmental monitoring and management. The topic was discussed in relation to adaptive management involving capacity building and continual learning at the technical sessions in May 2012. The concept of education, or learning, is not only limited to the public, but applies to all land users and managers as well.

For the Project, De Beers incorporates public education in the Project by including community members in baseline monitoring programs, by visiting communities, and sharing monitoring results. De Beers also listens to feedback provided by the public and regulators concerning the proposed Project and its EIS, and applies its learnings to the extent feasible. The Adaptive Management Committee proposed for the Project also provides a mechanism for collective learning and capacity building for all parties, where non-technical participants learn about ecology-based monitoring approaches and technical participants gain understanding of community-based monitoring perspectives.

The Environmental Monitoring and Management Framework (EMMF) (De Beers 2012), along with the Conceptual Caribou Monitoring Plan tabled with the Gahcho Kué Project Wildlife Monitoring Plan Working Group, indicate that De Beers will also explore opportunities with the GNWT to contribute to the Barren-

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ground Caribou Management Strategy for the Northwest Territories 2011-2015⁶. Part 4 of the Strategy discusses Public Education and Compliance:

“Everyone has a role to play in the recovery of NWT barren-ground caribou herds. Public education programs promote respect for caribou and ensure NWT residents understand the status of caribou herds and the measures necessary for herd recovery and growth, including regulations. Promoting hunting excellence can reduce wounding losses and prevent meat wastage. Enhanced compliance (more frequent patrols and monitoring of key hunting areas) has been requested by the public.” (Pg 20).

De Beers is aware that the 120 kilometre Gahcho Kué Project winter road spur from Mackay Lake to Kennady Lake is partially within the current no hunting zone for Bathurst caribou. Based on both GNWT and community concerns for hunter access, De Beers, in the EMMF, provided three possible options for monitoring public use of the winter road:

1. Regular and frequent inspections of the road undertaken by De Beers. This information will be provided immediately to ENR if a concern is identified. A standardized reporting form will be developed in consultation with ENR.
2. Hiring a community monitor, who will be stationed at a rest stop along the road. Check in by non-Project road users would be voluntary. Observations of non-Project vehicles would be recorded and provided in annual reports, or immediately to ENR in the event a concern is noted. A standardized reporting form will be developed in consultation with ENR.
3. ENR may choose to establish an access monitoring station through the Tibbitt-to-Contwoyto Winter Road Joint Venture.

As part of the selected monitoring approach, there may be additional opportunity to participate in the public education of road users. De Beers views such an initiative as being in alignment with the proposed contribution to the caribou management strategy and will continue discussions with the GNWT on the subject.

⁶ Caribou Forever – Our Heritage, Our Responsibility. A Barren-ground Caribou Management Strategy for the Northwest Territories 2011-2015. Environment and Natural Resources August 2011.



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Reference

De Beers (De Beers Canada Inc.). 2012. Environmental Monitoring & Management Framework. De Beers Canada Inc. Gahcho Kué Project. Submitted to Mackenzie Valley Environmental Impact Review Board. May 2012.